IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 4429 of 2005

Between:

Ponnala Ravinder S/o. Yellaiah, Sarpanch,
Naredpally Gram Panchayat, Bhupalpally Mandal,
Warangal District.

..... PETITIONER

AND

1 The District Collector)Pts. Wing) Warangal District at Subedari, Hanamkonda, Warangal Warangal District.
2 The District Panchayat Officer, Warangal District at Subedari, Hanamkonda, Warangal, Warangal District.
3 Government of Andhra Pradesh Rep. by its Principal Secretary, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the Order dt. 11-1-2005 in Proceedings No. 5672/A-2/2004 issued by the 1st Respondent and also the inaction of the 3rd Respondent in passing suitable order on the Appeal filed by the Petitioner as illegal, arbitrary and violative of Principles of natural justice and to pass such other necessary order or orders as this Honourable Court deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.A.PRABHAKAR RAO

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following ORDER:

The petitioner, the Sarpanch of Neredpally village, Bhupalpally Mandal, Warangal district, was placed under suspension, through order dated 11.01.2005, by the first respondent. Aggrieved thereby, he preferred a revision before the third respondent, under Section 264 of the A.P. Panchayat Raj Act, 1994(for short 'the Act'). The grievance of the petitioner is that though he filed an application for interim orders and presented the revision way back on 20.01.2005, no orders have been passed so far either in the application for stay or in the revision. He seeks appropriate relief.

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj.

The first respondent passed an order, dated 11.01.2005, in exercise of powers under sub-section (6) of Section 249 of the Act. Though several contentions were urged on behalf of the petitioner touching the merits of the order, this Court is not inclined to deal with the same, because of the fact that the revision preferred by the petitioner under Section 264 of the Act is pending.

The petitioner filed an application for interim orders along with the revision. Section 264 of the Act empowers the third respondent to grant interim orders. Failure to consider the application for interim orders for a longtime would sometimes defeat the very purpose of filing the revision.

Hence, the writ petition is disposed of directing the third respondent to pass appropriate orders in the application for stay filed by the petitioner along with the revision, within a period of ten days from the date of receipt of a copy of

this order and communicate the same to the petitioner. There shall be no order as to costs.

09.03.2005

Note:

Issue CC. by 10.03.2005.

(BO)

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To

1 The District Collector (Pts. Wing) Warangal District at Subedari, Hanamkonda, Warangal Warangal District.
2 The District Panchayat Officer, Warangal District at Subedari, Hanamkonda, Warangal, Warangal District.
3 The Principal Secretary Government of Andhra Pradesh, Secretariat, Hyderabad.

4 Two CCs. to the G.P. for Panchayat Raj, High Court of A.P.,

Hyderabd (OUT).

5 2 CD copies

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